

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA

FILED

SEP 18 2012

WILLIAM W. GUTHRIE
Clerk of the Court
By _____ Deputy Clerk

RONALD C. HESS,

Plaintiff,

v.

OKLAHOMA DEPARTMENT
OF CORRECTIONS, et al.,

Defendant.

No. CIV 12-313-RAW-SPS

OPINION AND ORDER

Plaintiff, an inmate in the custody of the Oklahoma Department of Corrections who is incarcerated at Lexington Correctional Center in Lexington, Oklahoma, brings this action under the authority of 42 U.S.C. § 1983, seeking relief for alleged constitutional violations. He claims he discharged his sentence on June 8, 2010, but was rearrested for the same crime on June 17, 2010. He is seeking monetary damages for his alleged wrongful incarceration. The defendants are the Oklahoma Department of Corrections, DOC Director Justin Jones, the State of Oklahoma, and Rogers County, Oklahoma.

Upon review of plaintiff's complaint, it appears that proper venue does not lie in this district. While it is unclear where a substantial part of the alleged events or omissions occurred, three of the four defendants are located in the Western District of Oklahoma. *See* 28 U.S.C. § 1391(b). The court recognizes potential defects in this lawsuit, but out of an abundance of caution about the statute of limitations, it is hereby transferred in the interest of justice to the United States District Court for the Western District of Oklahoma. *See* 28 U.S.C. § 1631.

IT IS SO ORDERED this 18th day of September 2012.


RONALD A. WHITE
UNITED STATES DISTRICT JUDGE